

MILFORD PLANNING BOARD PUBLIC HEARING

November 20, 2012 Board of Selectmen's Meeting Room, 6:30 PM

Present:

Members:

Janet Langdell, Chairperson
Tom Sloan, Vice-Chairman
Paul Amato
Kathy Bauer
Chris Beer
Steve Duncanson
Judy Plant

Staff:

Jodie Levandowski, Town Planner
Shirley Wilson, Recording Secretary
Dan Finan, Videographer

Excused:

Susan Robinson, Alternate member

MINUTES:

1. Approval of minutes from the 10/16/12 meeting.

NEW BUSINESS:

2. **Milford Center Trust – Elm St – Map 19, Lot 20;** Public Hearing for a site plan to redevelop an existing residential house into a commercial office; and to consider a request for a waiver from Development Regulations, Article VI, Section 6.08, Landscaping.
(*Fieldstone Land Consultants, PLLC*)

OTHER BUSINESS:

Chairperson Langdell called the meeting to order at 6:30PM, introduced the Board and staff. She then explained the process for the public hearing and read the agenda.

MINUTES:

Revisions to the minutes were submitted by K. Bauer, C. Beer, P. Amato and J. Langdell. C. Beer made a motion to approve the minutes from the 10/16/12 meeting as discussed and amended. P. Amato seconded and all in favor.

NEW BUSINESS:

Milford Center Trust – Elm St – Map 19, Lot 20; Public Hearing for a site plan to redevelop an existing residential house into a commercial office; and to consider a request for a waiver from Development Regulations, Article VI, Section 6.08, Landscaping.

No abutters were present.

Chairperson Langdell recognized:

Chad Branon, Fieldstone Land Consultants, PLLC

Mike Plough, Fieldstone Land Consultants, PLLC

J. Langdell noted that the application was complete according to the staff memo. C. Beer made a motion to accept the application. T. Sloan seconded and all in favor. T. Sloan made a motion that this application did not present potential regional impact. C. Beer seconded and all in favor. S. Wilson read the abutters into the record.

C. Branon distributed revised plans dated 11/20/12 and made the presentation. The .52 acre site is situated on the south side of Elm St in the Commercial District and is serviced by municipal water and sewer, overhead electric and natural gas. The two story residential home has been a rental property since 1984 and will be converted into a professional office with associated site improvements. We are proposing to renovate the existing building into a 1,580 SF office space while reserving a 1,420 SF two story addition for the future. There will be a new access to the site and a parking area created. The drainage is detailed on sheet 3 and Stormwater will sheet flow from north to south on the property. The south side of the access and parking area will be curbed which will convey all the water into the proposed leaching basin. The site will be completely self-contained and all stormwater will be infiltrated on the property. The lighting will consist of one (1) proposed pole mounted light on the north side of the parking lot and will be a standard downcast fixture, so the lumens do not extend beyond the property. The proposed landscaping will consist of two (2) street trees and seven (7) shrubs in front to address the requirements. There is no proposed signage at this time and no dumpster as we will remove the trash weekly. The revised plans address the interdepartmental comments and staff recommendations.

Interdepartmental reviews:

- The Building Comments regarding the engineering calculations for the catch basin have been addressed as this property has been designed to infiltrate the 2, 10, 25 and 50 year storms. Those storm events range from a 2.49” to a 5.1” storm event.
- Two of the DPW comments were based on a misunderstanding and after speaking to Rick Riendeau and clarifying that the plan details referenced a pavement match not a patch, the first comment was withdrawn. The second concern about the drainage was also satisfied. Rick was more concerned about the details of whether it was a curb or a berm on the plan and it will be a curb line. We also talked about the pitch of the driveway so he has no objections. The site contains good sandy soils so once you get the drainage off the impervious areas it infiltrates well. We did address the comment regarding the catch basin and there is a note on the plan.

Staff comments:

- *A note be added to the plan stating that M19L20 is within the Elm Street Gateway District; note #4 has been revised and the district name will be corrected to state “West” Elm Street Gateway District.*
- *Site plan and storm water submittal needs construction entrance/exit detail (project size allows for use of 50' residential detail); detail 2 has been added to the sheet 4.*
- *The handicap parking space does not meet the Town of Milford Development Regulations which requires a space be 10'x20'. The plan should be revised to reflect these dimensions; the handicap space has been revised*

on sheet 2. The critical dimension has been changed from 18ft to 20ft in depth and the three (3) 8ft spaces total 24x20 which will satisfy the intent of the regulations and dimensional requirements.

- *A note be added to the plan stating the maintenance and care of leaching catch basin:* a note was added regarding the standard maintenance on sheet 4.

C. Branon then read the waiver request from Section 6.08.5, Landscaping Buffer Requirements. He explained that in order to accommodate our parking needs of twelve (12) spaces and due to the width of the lot, we are only left with about 5.4 ft instead of the required ten (10) ft; however, it is more separation than the adjacent lot that received recent site plan approval but we were not sure if the regulations were the same.

T. Sloan said he could appreciate the statement that you were not aware of certain regulations being in place at the time of development, but the point that is being missed is that the overlay district is not to allow businesses and redevelopment to remain the same in town. The whole point of the West Elm Street Gateway District is to improve the appearance of the properties and by asking for a waiver in that respect, you don't incorporate the requirements of that new ordinance or at least the principals behind us adopting it. I am not opposed to you bringing forth a plan that may not meet the requirements to the letter, but you should offer some type of consideration to the neighbors and some type of amenity to lessen the disturbance the residents may feel.

Chairperson Langdell opened the hearing to the public; there being none, the public portion of the meeting was closed. She then reviewed the comments from the staff memo dated 11/20/12.

C. Beer inquired about the minimum parking requirements. J. Langdell referenced note #9, and said four (4) spaces per 1,000 SF. She then inquired about the truncated or scooped out area at the south side. C. Branon showed all the spaces on the plan and explained that the scooped area was to allow for the car in the last space to back out. P. Amato inquired if twelve (12) spaces would be enough with the second story addition. C. Branon said yes, the site has been designed to address the future addition and we want to reserve and preserve the right to build this addition. It is a substantial investment for our company and for the town, so it is important for us to secure approval for 3,000SF of office space on this lot, which this site plan is designed for. The house is about 1,600 SF and we occupy close to that in our existing space right now. We are a full service land consulting company, offering surveying, engineering and environmental services and the addition will not change the use. The whole building will be strictly for our offices. Our goal is for this plan to vest us so that we can work with staff to obtain building permits for the 1,560 SF renovations and for the 1,400SF future addition. Any change in use would require us to come back to this Board. After discussion regarding parking for the future addition, J. Levandowski read the Development Regulations, Section 6.05.4 and stated that the parking requirements for professional offices are three (3) spaces per 1,000SF of building and one (1) handicapped space required for every twenty-five (25) regular spaces, per ADA requirements. Therefore, nine (9) spaces will be required according to our regulations.

P. Amato asked if there were going to be any changes to the façade. C. Branon said there would be a lot of changes to the building as it is in need of repair. The cabin on the end of the driveway, the concrete foundation and all else noted as such on the plan would be removed; they are ultimately trying to give the front of the building a more professional appeal. We will put the main entrance in the back of the building, as a lot of businesses in that area have done. He then distributed conceptual renderings of the proposed facility. P. Amato inquired about the front porch. C. Branon said it will be turned into a four season room and become part of the structure, although there is no cellar underneath. All the windows will be replaced and the building will be resided. We've had an asbestos survey done and unfortunately the plaster in the walls will have to be abated; ultimately the building will be completely gutted and rebuilt. P. Amato inquired about signage. C. Branon replied that they do plan on a monument sign in the future and will obtain the required permits for that as well as the wall sign shown on the renditions. P. Amato brought up the edge of gravel encroachment shown on the plan. C. Branon explained that it was pea stone used as ground cover under the outdoor kennel areas at the veterinary hospital. The fence is right on the property line and the kennel area has extended over the property line. J. Langdell noted that she didn't remember the buffering requirements when the veterinary plan was approved, but noted that they have a chain link fence and three (3) trees between the two properties. P. Amato asked about the shed out back. C. Branon said we may use it to store granite bounds and things like that but haven't yet evaluated if it would be any use to us down the road.

T. Sloan asked how the trash would be handled and if there would be a kitchen on site. C. Branon said the trash would be contained inside the building and disposed of weekly. They would be keeping some form of a small kitchen or kitchenette and that trash would be disposed of accordingly. T. Sloan asked if the applicant was aware of the distinguished site award and noted that the neighboring property was the 2nd recipient so there is incentive to maintain the caliber of the aesthetics put into place. P. Amato said the veterinary office looks very nice from the front and you have room to do that as well, but it is hard for us to say you have to do what the neighbor did, because if we asked the veterinary hospital to do what their neighbor did, it wouldn't look as nice as it does now. C. Branon said they appreciate that challenge.

J. Langdell inquired about the handicap ramp. C. Branon showed that it would be on the left side of the building and said that the details have not been ironed out yet. J. Langdell inquired about the fencing shown on the plan. C. Branon said the chain link fence belongs to our neighbor and there is also a type of fiberglass post and wire fencing that may have been run between the property monuments by the owners of this property to protect it from trespassers. He then described all the existing and proposed fencing in detail. J. Langdell asked about the pole light. C. Branon explained that it will be an aluminum pole with a shoe box style light and will be completely downcast.

C. Branon said, in speaking to the comments about the West Elm Street Gateway District, our understanding is that we are certainly improving the aesthetics as you drive the Elm St corridor and we believe that, on a large scale, we are addressing the overall goals. This will be an improvement project as the home, in its current state, is not much to look at. We plan on dressing up the front of the building nicely, probably more so than shown on the plan which was put together to meet the requirements and we would like the freedom to do additional things down the road. With that said, we are technically requesting some relief on the buffering along the westerly property line. C. Beer said that might not be necessary with the decrease in required parking spaces, which means that you could reduce the parking and provide the buffer. C. Branon said he understood that; however, we have nine (9) spaces at our current facility and depending on the day, we use all of them. We have three (3) company vehicles plus employees and although regulations state nine (9) spaces, we know that for our business to function adequately and properly today, and in the future when we hope to hire a couple more employees, we are going to need twelve (12) spaces and we've designed the site accordingly. J. Langdell said, in terms of the overlay district, this plan is showing elements that are very clearly called out; the parking is in the rear not in front, you are tending to the visual aspects, you are maintaining the trees and natural landscaping. The buffer requirements are in the Development Regulations and we've always had some level of requirement when have a commercial lot adjacent to residential lot. While this area is zoned commercial, has a high traffic volume, and lends itself to commercial development, we have to be sensitive to the fact that there is residential development. The question before us is how sensitive?

T. Sloan said he envisioned that the applicant would put forth a plan, after consultation with staff, to request our approval rather than ask for a waiver. There is a public benefit aspect to a waiver and I don't see any public benefit to what is proposed. C. Branon said they have contemplated installing a white vinyl stockade fence possibly along the parking area and extend it to the back line of existing structure but would prefer not the full length of the property line. T. Sloan stated it was not needed along the full length and asked if there were any invasive species in that area. C. Branon said we plan on raising the grade about two (2') ft to soften the vertical appearance of the building and give it a more professional appeal so the entire site is going to be re-landscaped and all invasives will be removed. T. Sloan said where it isn't necessarily desirable or recommended for the vinyl fence to come up to the road, maybe there could be some sparse accent plantings to continue on between where the fence stops going to the front. The plan may not necessarily meet the 6' x15' regulations, but there would be some type of buffer. J. Langdell said with a residential home next door, her concern was more relative to the parking lot area and a little beyond, not necessarily the back area or that she would want to see a ten (10') ft hedge all the way to Elm St, given this particular lot and this particular setting. T. Sloan said he envisioned where the fence stops you would have a tree, then an island with bushes suitable for that site, then maybe another tree and then an existing fir. That would be attractive but not over burdensome. Also, has there been consideration for extending a grass or gravel pave on the south side of the parking area where you could double up parking of company vehicles. C. Branon said we have discussed that depending on our future parking needs. C. Branon said we would not be opposed to this site looking nice, but the critical component for us is, if at all possible, we leave here tonight with a condition of approval so we can meet closing requirements. We don't have a problem

working with staff to generate a plan that would show the fence going to a specific location with some additional landscaping but we really do want some freedom to enhance the property in the future and not have to landscape the entire line. P. Amato said he would hope that a fence at the parking area would prevent car lights from shining into the neighbor's property and referenced the veterinary hospital next door saying that all those lights shine directly into the neighboring property.

S. Duncanson suggested bringing the fence from where the chain link fence stops to further north where the proposed construction of the five (5') ft wide sidewalk will be. C. Branon said he envisioned something similar but would like the Board to keep in mind that the adjacent residence is not close to the parking area at all and we would really like the freedom with the landscaping from that point forward. T. Sloan said you have that freedom as long as you do landscaping. C. Branon said the veterinary hospital focused all their landscaping in the front of the building and the only other landscaping on the entire remainder of the site are three (3) pine trees, which is pretty minimal. C. Branon said they would do the stockade fence and plant a few shrubs along the side of the building. T. Sloan added an observation to maybe include a shade tree which would be beneficial for energy conservation. P. Amato reiterated that he would prefer some fencing at the parking lot to prevent car lights from shining into the neighbor's property but then spend more money in the front area that can be seen when driving down Elm St. J. Levandowski read Section 6.08.5:B from the Development Regulations.

J. Plant said she would be happy with the fencing per the discussion and put the money in front.

C. Beer said the fencing at the parking lot meets the intent of the actual language of the ordinance and concurs with using the money in the front of the lot.

K. Bauer inquired about the public good for the waiver. J. Langdell clarified that the public good comes into play for our Zoning Ordinance.

P. Amato stated that we have two options; either go with the buffer requirements in our regulations or grant a waiver and a discussion on interpretation and procedure ensued. J. Levandowski read Section 5.02.0 of the Development Regulations.

P. Amato made a motion made to grant a partial waiver from Development Regulations 6.08.5, Landscaping Buffer using the alternative design as discussed, to include fencing to buffer the parking area on the northwest portion of the site and some additional landscaping. C. Beer seconded. P. Amato, K. Bauer, C. Beer, S. Duncanson, J. Plant and J. Langdell voted in the affirmative with T. Sloan voting no. The motion carried by a vote of 6-1.

T. Sloan said the renderings presented tonight were rough and asked if there would be more in depth renderings or who would approve the final version. C. Beer said we don't approve aesthetics. S. Duncanson agreed. J. Langdell said, in any case, we can ask for architectural.

T. Sloan made a motion to grant conditional approval, subject to any Staff recommendations that have not been incorporated in the revised plans, taking into account the waiver that was granted and providing we have pre-approval of the renderings for the site design from staff and chair; also, that note #4 be revised to state West Elm Street Gateway District, and note #9 be revised to reflect the correct parking regulations of three (3) spaces per 1,000SF. P. Amato seconded and all in favor.

OTHER BUSINESS:

There was no other business and the meeting was adjourned at 8:00PM.

MINUTES OF THE NOV 20, 2012 PLANNING BOARD PUBLIC HEARING APPROVED Dec 18, 2012